

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY AVERAGE  
WHOLESALE PRICE LITIGATION

*THIS DOCUMENT RELATES TO:*

COUNTY OF SUFFOLK,

v.

ABBOTT LABORATORIES, INC., et al.,

E.D.N.Y case No. CV-03-229

) MDL NO. 1456  
) C.A. No. 01-CV-12257 (PBS)  
)  
) HON. PATTI B. SARIS  
)  
)  
)  
) C.A. No. 03-CV-10643 (PBS)  
)  
)  
)  
)

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY**

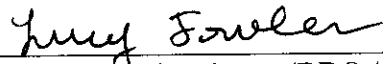
In its sur-reply memorandum plaintiff referred, for the first time, to the legislative history of N.Y. Social Services Law §145-b, and quoted portions of that legislative history. (Suffolk County's Sur-Reply Memorandum of Law in Further Opposition to Defendants' Consolidated Motion to Dismiss at 9.) For the Court's convenience, a copy of the entire Governor's Bill Jacket (which is somewhat difficult to find) is attached. The portions that are quoted appear in the Budget Report on Bills.

Dated: December 19, 2003

Respectfully submitted,

ON BEHALF OF ALL SERVED DEFENDANTS

By:

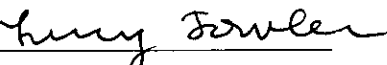
  
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- and -

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**CERTIFICATE OF SERVICE**

I certify that on December 19, 2003, a true and correct copy of the foregoing Notice of Opposition was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

  
Lucy Fowler